

EXHIBIT 6

[Page 1]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

Plaintiff,

Civil Action No.

-against-

11-1590-LTS-HBP

NOVA GROUP, INC., as Trustee,

Sponsor and Fiduciary of the

CHARTER OAK TRUST WELFARE

BENEFIT PLAN,

Defendant.

-----x

January 10, 2013

9:14 a.m.

Deposition of RICHARD ORDER, taken by
Plaintiff, pursuant to Subpoena, at the offices
of Boies, Schiller & Flexner, LLP, 333 Main
Street, Armonk, New York, before SUZANNE PASTOR,
a Shorthand Reporter and Notary Public within
and for the State of New York.

1 Q. Well, did Mr. Trudeau ever pay
2 Updike Kelly in legal fees?

3 A. No. I don't think he did.

4 Q. Did Mr. Carpenter in his individual
5 capacity ever pay Updike Kelly any legal fees in
6 connection with the Universitas arbitration?

7 A. I doubt it.

8 Q. What about Wayne Bursey?

9 A. I don't think so.

10 Q. Why do you doubt that Mr. Carpenter
11 paid legal fees out of his own pocket in
12 connection with the Universitas arbitration?

13 A. Because I don't think he has a
14 checking account.

15 Q. Was the answer I don't think he has
16 a checking account?

17 A. That was the answer.

18 Q. So when he sued -- you'll agree
19 with me he's been sued dozens of times, correct?

20 A. I don't know if it's dozens, but a
21 lot, yes.

22 Q. A lot. So when he retains counsel
23 to represent him, do you have any notion as to
24 how he pays his personal legal fees?

25 A. Well, first, when he retains --

[Page 123]

1 your question is when he retains counsel. So I
2 don't know what he does with other law firms.
3 When he retains me -- when I've been retained to
4 represent him, it's usually in conjunction with
5 other defendants that I'm also representing.
6 And they are the ones that foot the bill.

7 Q. So he arranges for -- when he gets
8 sued individually, at least when you've
9 represented him, he arranges for other entities
10 to pay his legal bills.

11 A. I don't know who has the
12 arrangement. All I know is that I don't believe
13 he has ever sent me a check showing the account
14 in the name of Daniel Carpenter.

15 Q. Thank you.
16 Do you know if at any point in time
17 Nova Group, Inc. maintained any insurance?

18 A. No.

19 Q. You don't know?

20 A. I do not know.

21 Q. Now, if you look at what we've
22 marked as Exhibit 1, the engagement letter,
23 paragraph 13 talks about the retention of
24 documents. And the first sentence states, "Upon
25 the closing of this matter, you may request that

[Page 124]

1 any original documents in the file be returned
2 to you." Do you see that?

3 A. I do.

4 Q. Do you consider the Universitas
5 arbitration matter to be closed?

6 A. It's closed in the sense that we
7 haven't done any work for them in the past two
8 and a half years.

9 Q. Have your clients --

10 A. Or two years or so.

11 Q. Have your clients in the
12 arbitration requested that any documents be
13 returned to them?

14 A. No.

15 Q. Have they requested that any
16 documents be copied and sent to them?

17 A. After our involvement?

18 Q. At any point in time.

19 A. Well, at any point in time, in the
20 regular course I would have given them copies of
21 documents that we filed, documents that we
22 received, orders, awards, things of that sort I
23 obviously sent along to them. So I don't recall
24 after our involvement ended being requested to
25 search for a particular document and send it to

1 them. It may have happened, I just don't
2 recall.

3 Q. What is your understanding as to
4 why Mr. Daniel Carpenter doesn't maintain any
5 personal checking accounts?

6 A. That's the way he is. I don't
7 know.

8 Q. Did that ever give you any concern
9 when you were representing the Charter Oak Trust
10 and its trustee Nova Group, Inc.?

11 A. No.

12 Q. You had represented him in the
13 Cahaly suit, right?

14 A. Yes.

15 Q. And the accusations there were that
16 he misused money that was in an escrow or
17 escrow-like account, right?

18 A. That's what the allegations were.

19 Q. And it never concerned you when you
20 started your representation of the Charter Oak
21 Trust that day 1 you went in and you said
22 where's the \$30 million and no one wanted to
23 tell you where it was?

24 A. Well, I'm not sure whether by the
25 juxtaposition of your questions you're